

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**KAREEM MILHOUSE,**

Plaintiff

v.

CHARLES SAMUALS, et al.,

Defendants

: Civ. No. 1:15-cv-1644

: Judge Rambo

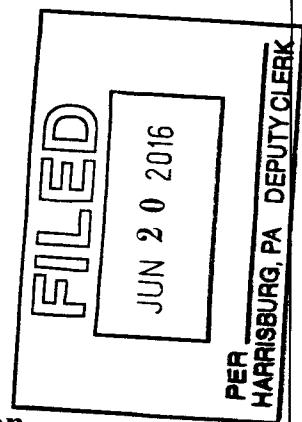
: Magistrate Judge Carlson

M E M O R A N D U M

Before the court is a report and recommendation filed by the magistrate judge in which he recommends that Plaintiff Milhouse's motion for a temporary restraining order be denied. This recommendation is based on the magistrate judge's finding that Milhouse has not shown that he suffers irreparable harm, that he has not shown that he has a likelihood of success, and that the motion is procedurally flawed.¹

There have been no objections filed to the report and recommendation. The record, however, reflects that the following documents were filed by Milhouse after the filing of the report and recommendation: Doc. 56, motion opposing Defendants' motion to dismiss; Doc. 57, brief in support of the motion; Doc. 58, brief in support of reply to motion opposing injunctive relief; and Doc. 59, reply to Defendants' motion opposing injunctive relief.

¹ The magistrate judge opined that the claim presented in the instant motion is the same claim presented in the case of *Milhouse v. Heath*, 1:15-cv-1400. That issue was decided adversely against Milhouse and therefore the instant complaint is frivolous on the basis of *res judicata*. (Doc. 50, p. 9.)



Upon review of the facts, the background of this case, and the law applicable thereto, the report and recommendation will be adopted.

Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: June 20, 2016